

#14
RoutePTO/SB/31 (02-01)
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Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF
PATENT APPEALS AND INTERFERENCES

Docket Number (Optional)

P2807

I hereby certify that this correspondence is being deposited as "Express Mail" with the United States Postal Service addressed to "Commissioner for Patents, Alexandria, VA 22313-1450" on May 30, 2003

Signature:

Typed/printed name Kent A. Lembke

In re Application of: David Phillip Tong

Application Number: 09/546,993

Filed: April 11, 2000

For: **METHOD AND COMPUTER PROGRAM PRODUCT
FOR REDUCING COLORMAP FLASHING**

Group Art Unit: 2768

Examiner: F. FOULADI SEMNANI

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$ 320.00.

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ _____.

☒ A check in the amount of the fee is enclosed.

☐ The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-1123. I have enclosed a duplicate copy of this sheet.

☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

I am the

☐ applicant/inventor.☐ assignee of record of the entire interest.
See 37 CFR 3.71. Statement Under
37 CFR 3.73(b) is enclosed.☒ attorney or agent of record.☐ attorney or agent acting under 37 CFR 1.34(a).
registration number if acting under 37 CFR 1.34(a) _____

Signature

Kent A. Lembke

Typed or printed name

5/30/03

Date

RECEIVED

JUN 04 2003

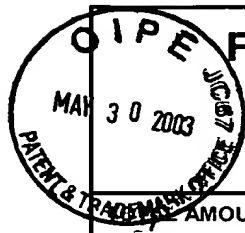
Technology Center 2600

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required.

05/03/2003 JADD01 00000017 09546993

01 FC:1401

320.00 OP



FEE TRANSMITTAL for FY 2003

Complete if Known

Application Number	09/546,993
Filing Date	April 11, 2000
First Named Inventor	David P. TONG
Examiner Name	F. Fouladi Semnani
Group / Art Unit	2672
Attorney Docket No.	P2807

AMOUNT OF PAYMENT (\$) **(\$320.00)**

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit
Account
Number

50-1123

Deposit
Account
Name

Hogan & Hartson L.L.P.

☒ Charge Any Additional Fee Required Under 37 CFR § 1.16 and 1.17

☐ Applicant claims small entity status.
See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit Card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid
1001 750	2001 375	Utility Filing Fee	
1006 330	2006 165	Design filing fee	
1007 520	2007 260	Plant filing fee	
1008 750	2008 375	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$0.00)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
	-20**=	X	= 0
Independent Claims	-3**=	X	= 0
Multiple Dependent			= 0

**or number previously paid, if greater; For Reissues, see below

Large Entity Fee Code	Small Entity Fee Code	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 84	2201 42	Independent claims in excess of 3
1203 280	2203 140	Multiple dependent claim, if not paid
1204 84	2204 42	**Reissue independent claims over original patent
1205 18	2205 9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$0.00)

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for ex parte reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 410	216 205	Extension for reply within second month	
117 930	217 465	Extension for reply within third month	
118 1,450	218 725	Extension for reply within fourth month	
128 1,970	228 985	Extension for reply within fifth month	
119 320	219 160	Notice of Appeal	320.00
120 320	220 160	Filing a brief in support of an appeal	
121 280	221 140	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,300	241 650	Petition to revive - unintentional	
142 1,300	242 650	Utility issue fee (or reissue)	
143 460	243 230	Design issue fee	
144 630	244 315	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 750	246 375	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 750	249 375	For each additional invention to be examined (37 CFR § 1.129(b))	
179 750	279 375	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$320.00)

SUBMITTED BY Complete (if applicable)

Name (Print/Type) **Kent A. Lembke**

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(Attorney/Agent)

44,866

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Signature

Kent A. Lembke

Date

5/30/03



Attorney Docket No. P2807
Client/Matter No. 80168.0210
Express Mail No. EV322526468US

AF/2700
#

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

David P. TONG

Serial No. 09/546,993

Filed: April 11, 2000

For: METHOD AND COMPUTER
PROGRAM PRODUCT FOR
REDUCING COLORMAP
FLASHING

Examiner: F. FOULADI SEMNANI

Art Unit: 2672

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JUN 04 2003

Technology Center 2600

CERTIFICATE OF MAILING BY EXPRESS MAIL

Mail Stop AF
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned hereby certifies that the following documents:

- Notice of Appeal
- Fee Transmittal with check in the amount of \$320.00
- Certificate of Mailing by Express Mail
- Return Receipt Postcard

relating to the above application, were deposited as "Express Mail", Mailing Label No. EV322526468US with the United States Postal Service, addressed to The Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on May 30, 2003.

5/30/03
Date

5/30/03
Date

Kent A. Lembke
Mailer

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